

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

BOARD MEETING

Monday, October 26, 1981

J. C. GILBERT

CHAIRMAN

400 Royal Street
New Orleans, Louisiana

MINUTES OF MEETING
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
NEW ORLEANS, LOUISIANA

October 26, 1981

Chairman J. C. "Sonny" Gilbert, presiding.

Members present:

Mr. J. C. Gilbert, Chairman
Mr. Charles A. Riggs, Vice Chairman
Mr. Wayne C. Ducote
Mr. Jesse M. Knowles
Mr. M. Bobby Orgeron

Members absent:

Mr. James C. Farrelly
Mr. George N. Gray

Also present:

Mr. Jesse J. Guidry, Secretary

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The regular monthly meeting of the Louisiana Wildlife and Fisheries Commission was called to order by the Chairman, Mr. J. C. Gilbert, on Monday, October 26, 1981, at 11:00 A.M.

A roll call of members present was taken.

Commissioner Jesse M. Knowles requested that the Commission not go into a committee of the whole and the official meeting begin at once. This was approved unanimously by the members.

Chairman Gilbert said the minutes of the September meeting could not be approved at this time since

the minutes have not been distributed to the Commission Members.

Motion was made by Mr. M. Bobby Orgeron, seconded by Mr. Wayne C. Ducote, and passed unanimously, that a renewal permit be granted Mr. Charles H. Lawrence to remove fill material from the Mississippi River between Mile 406.0 and Mile 417.0 AHP, along Togo Island Bar and adjacent to property owned by applicant.

(The full text of the resolution
is here made a part of the record)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to Mr. Charles H. Lawrence, Jr., to remove fill material from the Mississippi River at Mile 406.0 and Mile 417.0 AHP, along the Togo Island Bar and adjacent to land owned by applicant for a period of one year from October 9, 1981, to October 9, 1982, at a royalty rate of 10¢ per cubic yard.

* * *

Motion was made by Mr. M. Bobby Orgeron, seconded by Mr. Wayne C. Ducote, and passed unanimously, that a renewal permit be granted to T. L. James & Company, Inc., to remove fill material from the Mississippi River between Mile 150.5 AHP and 152.0.

(The full text of the resolution
is here made a part of the record)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to T. L. James & Company, Inc., to remove fill material from the Mississippi River at Mile 150.5 AHP and 152.0 AHP, for a period of one year from October 26, 1981, to October 26, 1982, at a royalty rate of 10¢ per cubic yard.

* * *

Motion was made by Mr. M. Bobby Orgeron, seconded by Mr. Wayne C. Ducote, and passed unanimously that a renewal permit be granted to T. L. James & Company, Inc., to remove fill material from the Mississippi River between Mile 60.0 AHP to Mile 62.0 AHP.

(The full text of the resolution
is here made part of the record)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to T. L. James & Company, Inc., to remove fill material from the Mississippi River at Mile 60.0 AHP to Mile 62.0 AHP in the vicinity of Ironton, Louisiana, for a period of one year from October 26, 1981, to October 26, 1982, at a royalty rate of 10¢ per cubic yard.

* * *

Motion was made by Mr. M. Bobby Orgeron, seconded by Mr. Wayne C. Ducote, and passed unanimously that a renewal permit be granted to T. L. James & Company, Inc., to remove fill material from the Mississippi River between Mile 102 AHP to Mile 103.5 AHP.

(The full text of the resolution
is here made part of the record)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to T. L. James & Company, Inc., to remove fill material from the Mississippi River at Mile 102 AHP to Mile 103.5 AHP, for a period of one year from October 26, 1981, to October 26, 1982, at a royalty rate of 10¢ per cubic yard.

* * *

Motion was made by Mr. M. Bobby Orgeron, seconded by Mr. Wayne C. Ducote, and passed unanimously that a renewal permit be granted to T. L. James & Company, Inc., to remove fill material from the Mississippi River between Mile 86.8 and Mile 87.35 near Meraux, St. Bernard Parish, Louisiana.

(The full text of the resolution
is here made part of the record)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to T. L. James & Company, Inc. to remove fill material from the Mississippi River at Mile 86.8 and Mile 87.35 near Meraux, St. Bernard Parish, Louisiana, for a period of

one year from October 26, 1981, to October 26, 1982,
at a royalty rate of 10¢ per cubic yard.

* * *

Motion was made by Mr. M. Bobby Orgeron, seconded by Mr. Wayne C. Ducote, and passed unanimously that a renewal permit be granted to T. L. James & Company, Inc., to remove fill material from the Mississippi River between Miles 116 and 117, opposite Levee Stations 5896 to 6008 in the Pontchartrain Levee District, St. Charles Parish, Louisiana.

(The full text of the resolution
is here made part of the record)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to T. L. James & Company, Inc., to remove fill material from the Mississippi River at Miles 116 and 117, opposite Levee Stations 5896 to 6008 in the Pontchartrain Levee District, St. Charles Parish, Louisiana, for a period of one year from October 26, 1981, to October 26, 1982, at a royalty rate of 10¢ per cubic yard.

* * *

Motion was made by Mr. M. Bobby Orgeron, seconded by Mr. Wayne C. Ducote, and passed unanimously, that a renewal permit be granted to T. L. James & Company, Inc., to remove fill material from the Mississippi River, Jefferson Parish, at Mile 108 AHP, along the left bank between Levee Stations 6348 and 6415 near Harahan, Louisiana.

(The full text of the resolution
is here made part of the record)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to T. L. James & Company, Inc., to remove fill material from the Mississippi River, Jefferson Parish at Mile 108 AHP, along the left bank between Levee Stations 6348 and 6415 near Harahan, Louisiana, for a period of one year from October 26, 1981, to October 26, 1982, at a royalty rate of 10¢ per cubic yard.

Motion was made by Mr. M. Bobby Orgeron, seconded by Mr. Wayne C. Ducote, and passed unanimously, that a renewal permit be granted to Louisiana Materials Company, Inc., to remove fill material from the Mississippi River at Mile Posts 177 through 181 (Point Darrow).

(The full text of the resolution
is here made part of the record)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to Louisiana Materials Company, Inc., to remove fill material from the Mississippi River at Mile Post 177 through 181 (Point Darrow), Louisiana, for a period of one year from October 26, 1981, to October 26, 1982, at a royalty rate of 10¢ per cubic yard.

* * *

Motion was made by Mr. M. Bobby Orgeron, seconded by Mr. Wayne C. Ducote, and passed unanimously, that a renewal permit be granted to Louisiana Materials Company, Inc., to remove fill material from the Mississippi River at Mile Posts 124.5 through 125 at Hahnville, St. Charles Parish, Louisiana.

(The full text of the resolution
is here made part of the record)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to Louisiana Materials Company, Inc., to remove fill material from the Mississippi River at Mile Posts 124.5 through 125 at Hahnville, St. Charles Parish, Louisiana, for a period of one year from October 26, 1981, to October 26, 1982, at a royalty rate of 10¢ per cubic yard.

* * *

Motion was made by Mr. M. Bobby Orgeron, seconded by Mr. Wayne C. Ducote, and passed unanimously, that a renewal permit be granted to remove fill material from the Mississippi River at Mile Posts 229.6 to 230.3 AHP, Louisiana, to Marshland Dredging Company, Inc.

(The full text of the resolution
is here made part of the record)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to Marshland Dredging Company, Inc., to remove fill material from the Mississippi River at Mile Posts 229.6 to 230.3, Louisiana, for a period of one year from October 26, 1981, to October 26, 1982, at a royalty rate of 10¢ per cubic yard.

* * *

Secretary Guidry introduced Mr. Don Larrison who had been appointed as his assistant. He said he was glad to have him aboard and he will be one of the ones he will ask to assist the Commissioners if they need anything.

Motion was made by Mr. Wayne C. Ducote, seconded by Mr. M. Bobby Orgeron, and passed unanimously, that Chairman J. C. Gilbert's travel expenses were authorized in connection with attending the Southeastern Association of Fish and Wildlife Agencies Meeting held in Tulsa, Oklahoma, October 18 through 21, 1981.

Chairman Gilbert stated that he has attended about three or four of the Southeastern Meetings and requested that each Commissioner attend at least one of the meetings before his term expired. He explained there were numerous seminars concerning wildlife and fisheries and he attended at least three seminars per day. While at the meeting, he learned that Bob Dennie had received another honor and is now chairman or president of two national organizations at the same time. Mr. Joe Herring is serving on two or three important committees and Mr. John D. Newsom is chairman of a committee. Mr. Gilbert said Louisiana was highly recognized out of the seventeen states that make up the southeastern states.

Chairman Gilbert stated he received a resolution from the Louisiana Wildlife Federation requesting it be brought up at this meeting. The rules and regulations of the Commission state that a majority of the members present must approve an item not on the agenda.

Motion was made by Mr. Jesse M. Knowles, seconded by Mr. Wayne C. Ducote, and passed unanimously, that the Louisiana Wildlife Federation's resolution be put on the agenda.

Chairman Gilbert asked Mr. Veillon if there had been any price set on the land. Mr. Veillon answered "no" and that the environmental groups including the Louisiana Wildlife Federation have entered into some delicate negotiations with the land owners. The land is going to be appraised soon and he thought the price would be favorable with the land owners. Mr. Veillon said he was very pleased with the status right now and appreciated the support of the Louisiana Wildlife and Fisheries Commission.

Motion was made by Mr. M. Bobby Orgeron, seconded by Mr. Wayne C. Ducote, and passed unanimously, that the resolution presented by Mr. Edgar Veillon of the Louisiana Wildlife Federation be adopted.

(The full text of the resolution
is here made part of the record)

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission endorses the concept of the State acquiring from willing sellers manageable tracts of wildlife habitat within the guide levees of the lower Atchafalaya Floodway--this being done for the twin purposes of preserving important fish and wildlife habitat, and preserving and increasing recreational opportunities for the citizens of Louisiana, and

BE IT FURTHER RESOLVED that the Louisiana Department of Wildlife and Fisheries supports the appropriation of funds by Congress for the U. S. Army Corps of Engineers to acquire a comprehensive habitat protection easement over all of the privately-owned acreage within the guide levees of the Lower Atchafalaya Floodway so that this remarkably productive ecosystem can be enjoyed by Louisianans for years to come.

* * *

Mr. John D. Newsom, Assistant Secretary, stated that on Avoca Island near Morgan City there were a lot of

waterfowl dying in this small area. Approximately 400 ducks and shorebirds died from what appears to be botulism according to a preliminary investigation. He thought this die-off might last for some time and could involve probably several thousand birds.

Commissioner Wayne C. Ducote said he was getting some complaints from the shell beach area regarding commercial trawlers who were supposed to be catching mullet and trawling the top of the water. The people are saying they are pulling a lot of game and sport fish out of that area. He asked that this be investigated.

Dr. Ted Ford, Assistant Secretary, stated there were a limited number of permits issued and were under the supervision of a biologist. The biologist has checked their catches and has been on board their boats. This program, he felt, has been working satisfactorily. He will have this complaint investigated.

Commissioner Jesse M. Knowles requested some information of Mr. Bennie Fontenot concerning the temporary restraining order given out by the courts in Orleans Parish concerning the action taken by the Commission on net fishing in Toledo Bend Reservoir and also a permanent injunction has been requested.

Mr. Bennie Fontenot, Chief, Fish Division, stated there is a hearing on this matter on Tuesday, November 3, at 2:00 p.m. in New Orleans. Our new Attorney, Ted Nasse, is working and studying this matter. The Attorney feels we should not have a problem with this but, of course, we never know. There is a law that states that commercial fishermen have the right to use commercial webbing in the lakes. There is also another law which was passed after this stating the Commission has the authority to regulate webbing in the lakes. It appears this law might supercede the earlier one and this will be brought out at the hearing.

Commissioner Charles A. Riggs said that the regulations requiring decals be placed on all enforcement vehicles and the wearing of uniforms at all times has hampered the enforcement in certain key cases.

Col. Ray Montet, Chief, Enforcement Division, said he appreciated the question because he had a statement to bring up to the Commission. Late yesterday afternoon, Agent Michael Gardner, Winn Parish, was on patrol and when he topped a hill, a pickup truck was ahead of him with two men standing in the back. When he put his red light on them, they immediately began firing at him with shotguns. The agent pursued the vehicle but the vehicle got away from him.

Col. Montet said it was their feeling in the Enforcement Division that their vehicles should be properly marked at all times and the men in uniform so that when charges are filed, as in this instance, resisting an officer, assaulting an officer and flight from an officer could be charged in addition to the other violations.

Col. Montet also stated it was their job in the Enforcement Division to prevent violations as well. Properly marked vehicles and the wearing of uniforms prevents violations from occurring in many instances.

Commissioner Jesse M. Knowles pointed out that the agents with the U. S. Fish and Wildlife Service did not wear uniforms and have decals but they were very effective in their areas. He thought that when our agents start really enforcing the law, we will be recognized as a first-class organization protecting the resources of the State of Louisiana.

Col. Montet stated that an agent can request on a day-by-day basis the removal of the decal and uniform on a particular case.

Chairman Gilbert stated that at the November meeting the Commissioners will elect the chairman and vice chairman for the coming year.

Chairman Gilbert stated that immediately following this meeting the Commissioners will meet with Mr. Gregory Weimar to go over the budget as proposed by the Department for the coming year.

Chairman Gilbert announced the dates for the

November Commission Meeting as November 23 and 24, 1981; the December Meeting will be held on December 28 and 29, 1981.

Motion was made by Mr. Jesse M. Knowles, seconded by Mr. Charles A. Riggs, and passed unanimously, that the meeting the adjourned.

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Jesse J. Guidry
Secretary

J. C. Gilbert
Chairman

Minutes transcribed
by Jan Sommers